IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

WRIT PETITION NO.507 (MS) OF 2006

Jagdish Prasad Chauhan,
S/o Shri Chandra Pal Singh,
R/o Suman Palace, C-103,
Sri Ram Nagar Colony,
Jwalapur, Tehsil & District- Haridwar. .....Petitioner.

Versus

1. Collector Haridwar, District –Haridwar.
2. Smt. Munija W/o Shri Mushoom,
3. Mashoom, S/o Shir Safee,
   Both R/o Village-Jhidiyangrant,
   Pargana-Roorkee, Tehsil & District –Haridwar.

.....Respondents.

Dated: 05.05.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Lok Pal Singh, Advocate for the petitioner and learned Standing Counsel for the respondents no. 1.

Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order dated 25.02.2006 (Annexure No.7 to the writ petition) passed by the Tehsildar Haridwar and to stay the operation of the order dated 25.05.2006 and to direct the respondent no. 1 to the decide the revision no. 30 of the 2005-06 expeditiously on the date fixed.

Briefly stated, by order-dated 25.02.2006, the Tehsildar, Haridwar allowed the application dated 8th February, 2005 and thereby restored the order dated 18th June, 2004. Aggrieved by the said order the petitioner has filed a revision under Section 219 of Land Revenue Act being Revision No.30 of 2005-2006.

The petitioner has prayed for early disposal of the revision pending before the respondent no. 1 i.e. Collector Haridwar, District Haridwar.

However, without entering into the merit of the controversy, the respondents no. 1 is directed to dispose of the revision along with the stay application, which has been filed by the petitioner within a period of two months form the date of production of the certified copy of the order in accordance with law. He shall also hear the stay application within a period of two weeks from the presentation of the certified copy of the order.

Subject to the aforesaid observation, the writ petition is dismissed on the ground of alternative remedy.

05.05.2006 (Rajesh Tandon, J.)
Rathour